

We are specifically stating that volunteer coaches and umpires will be not immune, as the opponents are stating, but would not be immune from gross negligence, not immune from wanton negligence or willful negligence. I will tell you again that if you read the examples that Senator McFarland.... I know we keep getting away from this, and we keep talking in broad, generalities about that this bill is going to hurt children, and this bill is designed to just protect careless coaches. If you read the bill very carefully, you will see that it is tightly drafted, you will see that the bill does not immunize coaches or volunteers. And if you read the examples that Senator McFarland has given to you, I think you can judge for yourselves, and it doesn't take a lawyer at all to look and see that the individuals in those examples had knowledge of the defective condition which caused the injury. And it is that knowledge of the defect, and then the actor omission which followed from it which resulted in the injury. Those individuals would not be immune under the act, under LB 123. We are simply stating, in this bill, that individuals, and I might just say that there was a very valid concern raised over the problem of nuisance lawsuits that have been brought in this area. And that is why the legislation came before the committee, and that is why the legislation was advanced. But we are not immunizing anybody in this bill. I would ask that the members, before they...if they so choose or thinking of voting to bracket this bill, simply look very quickly at those examples, and I think you will agree with me that LB 123 does not immunize them at all, nor does it promote careless activity by coaches or other volunteers. Thank you.

**SPEAKER BARRETT:** Thank you. Senator Pirsch, you have approximately two minutes remaining.

**SENATOR PIRSCH:** Thank you. I'm not embarrassed for supporting this, and I don't believe that you should be either. Senator Chambers has talked about treating animals better than children. He is still holding up the 107 dog fighting because he is picking at those provisions. You can expect the same kind of provision on LB 67 and other kind of tort reform that comes before this body. Courts can be counted on, believe me, to know the difference between crap games and baseball games. Senator Chambers is holding hostage LB 123 and threatening, but he can't if we won't let him. I urge you to vote down this bracket motion. Any others that come, we will try to call the question. And I do have another motion up there, but he can't do it if we won't let him. And I will do all I can to...